

REMARKS

Favorable reconsideration of this application, in view of the present amendment and in light of the following discussion, is respectfully requested.

Claims 1, 3, 4, 6-11, 13, 14, 16-21, 23, 24, and 26-39 are currently pending. Claims 1, 3, 4, 9, 11, 13, 14, 19, 21, 23, 24, 29, and 31-39 have been amended by the present amendment. No new matter has been added.

In the outstanding Office Action dated April 1, 2005, Claims 1, 3-4, 6-8, 11, 13, 14, 16-18, 21, 23, 24, 26-28, and 31-39 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,887,216 to Motoyama (hereinafter “the ‘216 patent”) in view of U.S. Patent No. 6,584,454 to Hummel, Jr. et al. (hereinafter “the ‘454 patent”); and Claims 9, 10, 19, 20, 29, and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the ‘216 and ‘454 patents, further in view of U.S. Patent No. 6,167,358 to Othmer et al. (hereinafter “the ‘358 patent”).

Amended Claim 1 is directed to a system for monitoring a device, comprising: (1) a monitoring unit located within the device and configured to obtain and store information of an event in the device which is an interaction between a user and the device, wherein the monitoring unit is further configured to monitor the event as it occurs using sensors internal to the device; record ID information, a cumulative session identifier for the event and a duration of the event corresponding to the session identifier; determine and store a sequence of use for a plurality of subcomponents of the device; and transmit the information of the event from the device, wherein the information of the event includes the sequence of use, the ID information, the cumulative session identifier, and the duration of the event; (2) a receiver configured to receive the information of the event of the device transmitted by the monitoring unit; (3) an analyzer configured to analyze the information of the event to identify a problem or abnormal condition of the device to determine a service request to be performed on the

device; and (4) a service depot comprising a computer configured (i) to receive the service request from the analyzer over a Wide Area Network (WAN), (ii) to analyze the service request, and (iii) to contact a user of the device regarding the service request. The changes to Claim 1 are supported by the originally filed specification and do not add new matter.¹

Applicants respectfully submit that the rejection s of the claims are rendered moot by the present amendment to Claim 1.

The '216 patent is directed to a method and system for determining whether problems exist in a business office device by analyzing user settings of the business office device. However, as admitted in the Office Action, the '216 patent fails to disclose a service depot comprising a computer configured to receive a service request from an analyzer over a Wide Area Network and to analyze the service request, as recited in Claim 1. Further, Applicants respectfully submit that the '216 patent fails to disclose a monitoring unit located within the device and configured to obtain and store information of an event in the device which is an interaction between a user and the device, wherein the monitoring unit is further configured to monitor the event as it occurs using sensors internal to the device; record ID information, a cumulative session identifier for the event and a duration of the event corresponding to the session identifier; determine and store a sequence of use for a plurality of subcomponents of the device; and transmit the information of the event from the device, wherein the information of the event includes the sequence of use, the ID information, the cumulative session identifier, and the duration of the event.

The '454 patent is directed to a method and system for delivery of protected software applications to remote systems from a central service facility, wherein the delivery is managed based on the community membership of a remote system user. As shown in Figure 1, the '454 patent discloses a central service facility 22, a management station 70, and

¹ See paragraphs 30, 63, 64, and 71-74 of the originally filed specification.

medical diagnostic systems 12. Applicants note that page 3 of the Office Action asserts that the '454 patent discloses that the central service facility 22 is configured to receive a service request from the management station 70 to analyze the service request, and to contact the user of the remotely monitored device.

However, Applicants submit that the '454 patent fails to disclose a monitoring unit located within the device and configured to obtain and store information of an event in the device which is an interaction between a user and the device, wherein the monitoring unit is further configured to monitor the event as it occurs using sensors internal to the device; record ID information, a cumulative session identifier for the event and a duration of the event corresponding to the session identifier; determine and store a sequence of use for a plurality of subcomponents of the device; and transmit the information of the event from the device, wherein the information of the event includes the sequence of use, the ID information, the cumulative session identifier, and the duration of the event.

Thus, no matter how the teachings of the '216 and '454 patents are combined, the combinations do not teach or suggest the monitoring unit recited in amended Claim 1.

Independent Claims 11 and 21 have been amended to recite the functions of the monitoring unit recited in Claim 1. Accordingly, Applicants respectfully submit that Claims 11 and 21 (and all similarly rejected dependent claims) patentably define over any proper combination of the '216 and '454 patents.

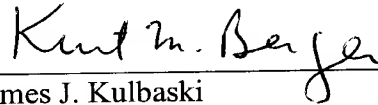
Regarding the rejection of dependent Claims 9, 10, 19, 20, 29, and 30 under 35 U.S.C. § 103, Applicants respectfully submit that the '358 patent fails to remedy the deficiencies of the '216 and '454 patents, as discussed above. Accordingly, Applicants respectfully submit that the rejections of dependent Claims 9, 10, 19, 20, 29, and 30 are rendered moot by the present amendment to Claims 1, 11, and 21.

Thus, it is respectfully submitted that independent Claims 1, 11, and 21 (and all associated dependent claims) patentably define over any proper combination of the '216, '454, and '358 patents.

Consequently, in light of the above discussion, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



James J. Kulbaski
Attorney of Record
Registration No. 34,648

Kurt M. Berger, Ph.D.
Registration No. 51,461

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

JJK:KMB\la
I:\ATTY\KMB\5244\5244-0130\52440130-AM4.DOC